IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7907 OF 2006

Mr Ratan Matadin Varma ...Petitioner

v/s

Shrinath Krupa CHS Ltd. and ors. ...Respondents

Mr A.S. Desai for Petitioner.

Mr Rahul Rai i/b Mr I.V. Rao for Respondent No.1.

CORAM : D.K. DESHMUKH J.

DATE : 6TH JULY 2007.

P.C. :-

1. Heard learned counsel for the petitioner. Perused the order of the Appeal Court. The Appeal Court has considered all the relevant aspects. The Appeal Court has relied on the judgment of this Court. The result of the interim order made by the Appeal Court is that the petitioner cannot claim the terrace for himself exclusively. As a member of the Society, the petitioner can also use the terrace. It being the petition against the interim order and as I find that there is no patent illegality committed by the Appeal Court, there is no case to set aside the impugned order. Petition is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Private Secretary as true copy.

. Certified copy expedited.